

1 Brian G. Anderson, Esq.
2 Nevada Bar No. 10500
3 HOLLAND & HART LLP
4 9555 Hillwood Drive, 2nd Floor
5 Las Vegas, NV 89134
6 Phone: (702) 222-2525
7 Fax: (702) 666-9108
8 bganderson@hollandhart.com

9 Matthew J. Smith, Esq. (*Pro Hac Vice*)
10 Claire Wells Hanson, Esq. (*Pro Hac Vice*)
11 HOLLAND & HART LLP
12 555 Seventeenth Street, Suite 3200
13 Denver, Colorado 80202
14 Phone: (303) 295-8000
15 Fax: (303) 295-8261
16 mjsmith@hollandhart.com
17 cewellshanson@hollandhart.com

18 *Attorneys for Defendant Gary Tharaldson*

19 JASON HALPERN,

20 Plaintiff,

21 v.

22 GARY THARALDSON,

23 Defendant.

24 CASE NO.: 2:15-cv-02037-JCM-GWF

25 **MOTION FOR LEAVE TO APPEAR
26 TELEPHONICALLY AT HEARING ON
27 PLAINTIFF'S MOTION FOR
28 EXTENSION OF DISCOVERY**

**[AND PROPOSED ORDER GRANTING
MOTION]**

29
30 Defendant Gary Tharaldson (“Defendant”), by and through his undersigned counsel,
31 hereby requests leave for counsel to appear telephonically at the oral argument hearing on
32 Plaintiff’s Motion for Extension of Discovery Deadlines (Dkt. # 40) scheduled for Monday,
33 April 18, 2016, at 1:30 p.m. before the Honorable Magistrate Judge George Foley, Jr. (Dkt. #
34 41).

35 ////

36 ////

37 ////

MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff Jason Halpern (“Plaintiff”) filed his Motion for Extension of Discovery Deadlines on April 11, 2016. (Dkt. # 40). The following day, the Court scheduled oral argument on Plaintiff’s Motion for Monday, April 18, 2016. (Dkt # 41).

Defendant's lead counsel, Matthew J. Smith, resides in Denver, Colorado, is admitted to practice *Pro Hac Vice* in this case, and is familiar with the facts and issues in this case and the issues presented in Plaintiff's Motion.

Based upon his familiarity with the issues in Plaintiff's Motion, Mr. Smith would prefer to argue on Defendant's behalf. Moreover, Defendant's local counsel has a scheduling conflict due to a prior engagement at the time set for the hearing. In an effort to reduce unnecessary costs associated with traveling to Nevada, counsel requests to appear by telephone in order to facilitate cost effective and efficient representation for Defendant.

Further, the parties will not suffer any prejudice in allowing Mr. Tharaldson's counsel to appear by telephone. Accordingly, Defendant respectfully requests the Court grant his Motion and allow counsel to appear telephonically at the hearing on Plaintiff's Motion for Extension of Discovery Deadlines.

DATED this 13th day of April, 2016

HOLLAND & HART LLP

/s/ Brian G. Anderson

Brian G. Anderson, Esq.
Nevada Bar No. 10500
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134

Matthew J. Smith, Esq. (*Pro Hac Vice*)
Claire Wells Hanson, Esq. (*Pro Hac Vice*)
555 Seventeenth Street, Suite 3200
Denver, Colorado 80202

Attorneys for Defendant Gary Tharaldson

1 **ORDER GRANTING MOTION FOR LEAVE TO APPEAR TELEPHONICALLY**

2 Upon consideration of the foregoing Motion For Leave To Appear Telephonically At
3 Hearing on Plaintiff's Motion For Extension of Discovery Deadlines, and good cause appearing,

4 **IT IS HEREBY ORDERED** that Defendant's Motion is GRANTED and Matthew J.
5 Smith may appear telephonically for the hearing on Plaintiff's Motion for Extension of
6 Discovery Deadlines, which is scheduled for April 18, 2016 at 1:30 p.m. before the Honorable
7 Magistrate Judge George W. Foley, Jr.

8
9 **IT IS SO ORDERED:**

10 
11

12 UNITED STATES MAGISTRATE JUDGE

13 DATED: April 14, 2016

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134

CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that on the 13th day of April, 2016, I served a true and correct copy of the foregoing **MOTION FOR LEAVE TO APPEAR TELEPHONICALLY AT HEARING ON PLAINTIFF'S MOTION FOR EXTENSION OF DISCOVERY** by electronic transmission to the parties on electronic file and/or depositing same in the United States mail, first class postage fully prepaid to the persons and addresses listed below:

David A. Carroll, Esq.
Anthony J. DiRaimondo, Esq.
Rice Reuther Sullivan & Carroll, LLP
3800 Howard Hughes Pkwy., Suite 1200
Las Vegas, Nevada 89169
Tel: 702-732-9099
Fax: 702-732-7110
dcarroll@rrsc-law.com
adiraimondo@rrsc-law.com

William R. Fried, Esq.*
Marisa A. Leto, Esq.*
Herrick Feinstein LLP
2 Park Avenue
New York, New York 10016
**Pro Hac Vice Forthcoming*

Attorneys for Plaintiff Jason Halpern

/s/ Alexis Stajkowski

An Employee of Holland & Hart LLP